



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 08, 2021

Via ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street, Room 2202
New York, New York 10007

Re: *The City of Philadelphia, et al. v. Bank of America Corp, et al.*, 19-cv-1608 (JMF)

Dear Judge Furman:

The Antitrust Division and the United States Attorney's Office for the Southern District of New York (collectively, "the DOJ") write in response to Your Honor's invitation to the DOJ to submit a letter brief regarding Bank of America's motion to file a declaration *ex parte* (the "Lesser declaration") in connection with a dispute over the scope of discovery in the above-captioned civil case.

[REDACTED]

[REDACTED] we request that the Court allow the Lesser declaration to be filed under seal [REDACTED]

We are aware that the fact that there is a DOJ investigation has been referred to in the record of the proceedings in this matter.

[REDACTED]

We are available to answer any questions that they Court may have.

Sincerely,

RM, EH
Rebecca Meiklejohn
Eric Hoffmann
Trial Attorneys, Antitrust Division

/s/
Daniel Tracer
Assistant United States Attorney
Southern District of New York

Very truly yours,

AUDREY STRAUSS
Acting United States Attorney

by: /s/ Daniel Tracer
[AUSA]
Assistant United States Attorney
(212) 637-2329
Daniel.Tracer@usdoj.gov

cc: All counsel of record (via ECF)